

ATHENS CITY SCHOOLS

943 Crestway Drive
Athens, TN 37303-4197
Phone (423) 745-2863 • Fax (423) 745-9041

DOCKET FILE COPY ORIGINAL

Dr. Craig Rigell, Director of Schools

CC Docket No. 02-6 Request for Review or Wavier Request

RE: Appeal of Reduced Funding of Telephone Service for Athens City School District

Date: May 16, 2007

Page 1 of 3

Funding Commitment Report dated 08/30/2006

Revised Funding Commitment Decision Letter dated 03/23/2007

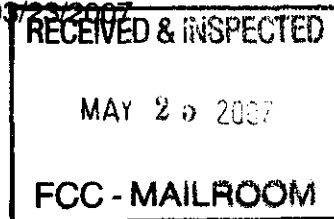
Applicant Name: Athens City School District

Form 471 Application Number: 476573

Billed Entity Number: 128266

Funding Request Number: 1315742

Funding Year: 2005 (Year 8)



Appeal Request: Telephone Service FRN # 1315742 was originally denied by the SLD because a Form 470 Application number was not posted for our telephone services (Form 471 Application #476573) for the 2005 year. We sent the enclosed appeal letter along with the enclosed documentation to the SLD (see Tab "Appeal to SLD")

The SLD issued a revised Funding Commitment Decision Letter on 3/23/2007 and again denied funding for FRN #1315742.

The Funding Commitment Letter dated 3/23/2007 states:

"The cited 470 was not the basis for the establishment of the voluntary contract extension, and does not meet the 28 day competitive bidding requirement."

We would like to appeal to the FCC based on FCC06-54 (Bishop Perry) and FCC 07-35.

Applicant Explanation:

No. of Copies rec'd _____
List ABCDE _____

During 2002, Athens City School District posted Form 470 #340780000445460 seeking bids for Telecommunication Services. The Form 470 used at this time was the form available on the SLD's website. Please note that in block 7c we indicated we were seeking services for which a new written contract was being sought. **There was no section on this Form 470 to indicate the length of the contract term (single year or multi-year contract).**

It appears sometime after the filing of this 470, the SLD updated Form 470 Item 13 to indicate the applicant "may" provide information regarding a multi-year contract and contracts with voluntary extensions. However, at the time of this Form 470 filing, there was no place on the Form 470 to indicate that a multi-year contract was being entered into. To support this, we have enclosed copies of:

- Form 470 #340780000445460 printed from the SLD's website on 12/20/2002 (470 titled "File Copy" – see Tab 1)
- Form 470 instructions from this time period (April 2002) – see Tab 2
- The current version of Form 470#340780000445460 printed from the SLD's website on 03/28/2007 – see Tab 3

RE: Appeal of Reduced Funding of Telephone Service for Athens City School District

Date: May 16, 2007

Page 2 of 3

Funding Commitment Report dated 08/30/2006
Revised Funding Commitment Decision Letter dated 03/23/2007
Applicant Name: Athens City School District
Form 471 Application Number: 476573
Billed Entity Number: 128266
Funding Request Number: 1315742
Funding Year: 2005 (Year 8)

Applicant Explanation continued...

Please note how the wording regarding multi-year contracts (section 13 of Form 470) changed from the copy we printed during 2002 to the copy printed during 2007. Based on the 2002 Form 470 and Form 470 instructions, there was no requirement or place to indicate on the Form 470 that the applicant intended to enter into a multi-year contract.

During the bid process, we did specify to potential vendors that we were looking for a multi-year contract with a voluntary renewal option. However, this was not indicated on the Form 470, as there was no place to indicate this.

During the SLD appeal process, we were only asked for copies of the contract and related Item 21. We were not provided the opportunity to answer any additional questions the reviewer had.

We assert that for the 2005 year, the telecommunication services for FRN #1315742 were properly bid out according to the SLD's requirements and that we had a legally binding contract with Access America.

Relief Requested

We believe we complied with the 470 requirements in existence at the time of the 470 filing and had a legally binding contract in place during the 2005 year. We believe the Telecommunication Services bid out under Form 470 # 340780000445460 was properly bid and posted for this multi-year contract and as such request the 2005 Form 471 application be funded in full for \$29,741.70.

We look forward to your resolution of this appeal and are available to answer any questions you may have. Thank you for your assistance.

Sincerely,



Craig D. Rigell, Ed.D.
Director of Schools
Athens City School District

RE: Appeal of Reduced Funding of Telephone Service for Athens City School District

Date: May 16, 2007

Page 3 of 3

Funding Commitment Report dated 08/30/2006
Revised Funding Commitment Decision Letter dated 03/23/2007
Applicant Name: Athens City School District
Form 471 Application Number: 476573
Billed Entity Number: 128266
Funding Request Number: 1315742
Funding Year: 2005 (Year 8)

Contact Information:

Teresa Read
Athens City School District
943 Crestway Drive
Athens, TN 37303
423-745-2863
readt@k12tn.net
Fax: 423-745-9041

Enclosures:

Tab "Appeal to SLD"	Appeal Letter to SLD dated October 16, 2006
Tab 1	Form 470 #340780000445460 title "File Copy", printed 12/20/2002
Tab 2	FCC Form 470 Instructions, April 2002
Tab 3	Form 470 #3407880000445460, printed 03/28/2007
Tab 4	USAC E-Rate Discounts For Schools and Libraries data sheet
Tab 5	Revised Funding Commitment Decision Letter, dated 03/23/2007
Tab 6	Access America contract, dated 01/24/2003
Tab 7	Form 471 #476573 for FRN #1315742
Tab 8	FCC 07-35
Tab 9	FCC 06-54

ATHENS CITY SCHOOLS

943 Crestway Drive
Athens, TN 37303
Phone (423) 745-2863 • Fax (423) 745-9041

Dr. Craig Rigell, Director of Schools

APPEAL

RE: Appeal of Telephone Service for Athens City School District

Date: October 16, 2006

Funding Commitment Report Dated 08/30/2006

Applicant Name: Athens City School District

Form 471 Application Number: 476573

Billed Entity Number: 128266

Funding Request Number: 1315742

Funding Year: 2005 (Year 8)

Appeal Request: Telephone Service FRN # 1315742 was denied by the SLD because a Form 470 Application number was not posted for our telephone services (Form 471 Application #476573) for the 2005-year. We wish to appeal this denial based on the attached FCC Decision on Wayland Free Library (File No. 134324, DA 01-2706). (See fax documentation, pages 3-6)

The Funding Commitment Letter explanation states:

"The FRN references services that require a posting of a 470 for each Funding Year."

The Funding Commitment Letter is on pages 7-11.

Applicant Explanation:

Due to a clerical error, Athens City School District cited the wrong FCC Form 470 on Application # 476573, Funding Request Number 1315742. A Form 470 for telecommunication services was properly posted to the SLD's website. In addition, Athens City School District responded during PIA review with the correct Form 470 Application #340780000445460.

We would like to clarify the correct Form 470 Application number that should have been used on Form 471 Application #476573. The correct Form 470 Application # is 340780000445460 for Funding Request Number 1315742 (a copy of Form 470 #340780000445460 is included on pages 12-19). We assert that we should be provided an opportunity to correct the Form 470 Application number due to a clerical error as allowed in the attached November 20, 2001 FCC decision on Wayland Free Library (SLD-134324, DA 01-2706). In this FCC decision, the "SLD will grant appeals when the applicant has cited the wrong FCC Form 470 in a Funding Request Number (FRN) but did have an FCC Form 470 that supports the FRN and cites the correct FCC Form 470 in its appeal to the SLD."

Appeal
to SLD

RE: Appeal of Telephone Service for Athens City School District

Date: October 16, 2006

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Funding Commitment Report Dated 08/30/2006
Applicant Name: Athens City School District
Form 471 Application Number: 476573
Billed Entity Number: 128266
Funding Request Number: 1315742
Funding Year: 2005 (Year 8)

Relief Requested

We request that the application be funded in full for \$29,741.70 given that we did have a correctly posted Form 470 and followed all of the requirements.

In addition to the above, we are also available to provide any additional clarification needed. I look forward to your resolution of this appeal and am available to answer any other questions you may have. Thank you for your assistance.

Sincerely,



Craig D. Rigell, Ed.D.
Director of Schools
Athens City School District

Contact Information:

Teresa Read
Athens City School District
943 Crestway Drive
Athens, TN 37303
423-745-2863
readt@k12tn.net
Fax: 423-745-9041

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Federal Communications Commission

DA 01-2706

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	
)	
Request for Review of the)	
Decision of the)	
Universal Service Administrator by)	
)	
Wayland Free Library)	File No. SLD-134324
Wayland, New York)	
)	
South Carolina Budget and Control Board)	File No. SLD-120219
Office of Information Resources)	
Columbia, South Carolina)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: November 19, 2001

Released: November 20, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. Before the Accounting Policy Division (Division) are Requests for Review filed by Wayland Free Library (Wayland), Wayland, New York, and South Carolina Budget and Control Board, Office of Information Resources (SC), Columbia, South Carolina (collectively, Petitioners).¹ Petitioners seek review of decisions by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator), denying requests for discounts under the schools and libraries universal service support mechanism for failure to satisfy the 28-day competitive bidding requirement.² For the reasons discussed below, we grant the pending Requests for Review and remand for further consideration.

¹ See Letter from Marjorie Crawford, Wayland Free Library, to Federal Communications Commission, filed May 9, 2000 (Wayland Request for Review); *Request for Review of the Decision of the Universal Service Administrator By South Carolina Budget and Control Board, Office of Information Resources*, CC Docket Nos. 96-45 and 97-21, Request for Review, filed July 12, 2000 (SC Request for Review).

² Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

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2. Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries may apply for discounts for eligible telecommunications services, Internet access, and internal connections.³ The Commission's rules provide that, with one limited exception, an eligible school, library, or consortium must seek competitive bids for all services eligible for support.⁴ The Commission reasoned that competitive bidding would ensure fiscal responsibility and would be the best means for ensuring that eligible schools and libraries are able to receive services at the most competitive rates.⁵

3. The Commission's competitive bidding rules require that an applicant submit to the Administrator a completed FCC Form 470, in which the applicant lists the services for which it seeks discounts.⁶ The Administrator assigns each FCC Form 470 a unique identifying number, which in Funding Year 2 was called a Universal Service Control Number (USCN). The Administrator must then post the FCC Form 470 on its web site and the applicant is required to wait 28 days before making a commitment to a selected service provider.⁷ The Commission's rules provide a limited exemption from the 28-day competitive bidding requirement for applicants that have pre-existing contracts as defined by the Commission's rules; in this case, the contract need not be subjected to competitive bidding, but must still be identified in an FCC Form 470.⁸ After the FCC Form 470 has been posted for 28 days, and the applicant has selected a service provider, the applicant must submit to the Administrator an FCC Form 471, which lists the services that have been ordered, and cites the FCC Form 470 that presented the service for competitive bidding, or in the case of services based on pre-existing contracts, the FCC Form 470 that presented that contract.⁹

4. In each of the pending applications, SLD issued Funding Commitment Decision Letters, denying a funding request because it found that the request had cited an FCC Form 470

³ 47 C.F.R. §§ 54.502, 54.503.

⁴ 47 C.F.R. § 54.504(a).

⁵ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Red 8776, 9078, para. 480 (1997) (*Universal Service Order*), as corrected by *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Errata, 12 FCC 97-157 (rel. June 4, 1997), *affirmed in part, Texas Office of Public Utility Counsel v. FCC*, 183 F.3d 393 (5th Cir. 1999) (affirming *Universal Service First Report and Order* in part and reversing and remanding on unrelated grounds), *cert. denied*, *Calpage, Inc. v. FCC*, 120 S. Ct. 2212 (May 30, 2000), *cert. denied*, *AT&T Corp. v. Cincinnati Bell Tel. Co.*, 120 S. Ct. 2237 (June 5, 2000), *cert. dismissed*, *GTE Service Corp. v. FCC*, 121 S. Ct. 423 (November 2, 2000).

⁶ *Schools and Libraries Universal Service, Description of Services Requested and Certification Form*, OMB 3060-0806 (FCC Form 470); 47 C.F.R. § 54.504(b); *Universal Service Order*, para. 575.

⁷ 47 C.F.R. § 54.504(b), (c); *Schools and Libraries Universal Service, Services Ordered and Certification Form*, OMB 3060-0806 (FCC Form 471).

⁸ 47 C.F.R. § 54.511(c); *Instructions for Completing the Schools and Libraries Universal Service, Services Ordered and Certification Form (FCC Form 471)*, OMB 3060-0806 (December 1998) (Form 471 Instructions), at 7.

⁹ 47 C.F.R. § 54.504(c); FCC Form 471, Block 5.

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that did not support the request.¹⁰ Each of the Petitioners then appealed to SLD, informing SLD that the USCN cited in the funding request was the result of a clerical error and referring SLD to the correct FCC Form 470 USCN.¹¹ SLD denied both appeals, on the grounds that the new FCC Form 470 numbers submitted by the Petitioners constituted impermissible new evidence.¹² Each of the Petitioners then submitted a Request for Review, again referring to a USCN that allegedly supports their funding requests.¹³

5. Under SLD's appeal review procedures, SLD will grant appeals when the applicant has cited the wrong FCC Form 470 in a Funding Request Number (FRN) but did have an FCC Form 470 that supports the FRN and cites that correct FCC Form 470 in its appeal to SLD.¹⁴ Because this procedure is applicable here, we find that SLD should have reviewed the funding requests in light of the new FCC Form 470 USCN numbers. We therefore reverse and remand the pending applications for further consideration.

6. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed on May 9, 2000 by Wayland Free Library, Wayland, New York, IS GRANTED and this application IS REMANDED to SLD for further action consistent with this opinion.

¹⁰ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Walter A. Taylor, South Carolina Budget and Control Board, Office of Information Resources, dated August 31, 1999, at 4; Letter from Schools and Libraries Division, Universal Service Administrative Company, to Marian Crawford, Wayland Free Library, dated November 2, 1999, at 4.

¹¹ Letter from Walter A. Taylor, South Carolina Budget and Control Board, Office of Information Resources, to Schools and Libraries Division, Universal Service Administrative Company, filed September 13, 1999 (SC Appeal to SLD), at 1; Letter from Marian Crawford, Wayland Free Library, to Schools and Libraries Division, Universal Service Administrative Company, filed November 15, 1999 (Wayland Appeal to SLD), at 1.

¹² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Walter A. Taylor, South Carolina Budget and Control Board, Office of Information Resources, dated June 14, 2000, at 1; Letter from Schools and Libraries Division, Universal Service Administrative Company, to Marian Crawford, Wayland Free Library, dated April 25, 2000, at 1.

¹³ Wayland Request for Review, at 1; SC Request for Review, at 1-2.

¹⁴ See Request for Review by Reg 6 & 8 SW/CTRL/W Svc Co-op, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File No. SLD-199902, CC Dockets No. 96-45 and 97-21, Order, DA 01-2026, para. 6 (Com. Car. Bur. rel. August 29, 2001).

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Federal Communications Commission

DA 01-2706

7. IT IS FURTHER ORDERED that the Request for Review filed on July 12, 2000 by South Carolina Budget and Control Board, Office of Information Resources, Columbia, South Carolina, IS GRANTED, and this application IS REMANDED to SLD for further action consistent with this option

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Accounting Policy Division
Common Carrier Bureau

USAC

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Universal Service Administrative Company
Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER
(Funding Year 2006: 07/01/2005 - 06/30/2006)

August 30, 2006

Teressa Reed
ATHENS CITY SCHOOL DISTRICT
643 CROWLEY DR
ATHENS, TN 37003-4130

RECEIVED SEP 8 4 2006

Re: Form 471 Application Number: 476673
Funding Year 2006: 07/01/2005 - 06/30/2006
Billed Entity Number: 130306
Billed Entity FOR EN: 0014188993
Applicant's Form Identifier: Athens0506

Thank you for your Funding Year 2006 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$21,116.61 is "Denied."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (RNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - Appellant name,
 - Applicant name and service provider name, if different from appellant,

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- Applicant SEN and service provider SPIN,
- Form 471 Application Number as assigned by the SID,
- Funding Commitment Decision Letter for Funding Year 2005," AND
- the exact text of the decision that you are appealing.

3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by the SID's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by the SID's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SID by e-mail, use the "Submit a Question" feature on our web site at www.si.universalservice.org. Click "Continue," choose "Appeals" from the topics inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SID will automatically reply to incoming e-mails to confirm receipt.

* To submit your appeal to the SID by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SID on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
40 South Jefferson Road
Whippany, NJ 07981

While we encourage you to resolve your appeal with the SID first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 03-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use either the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that the Universal Service Administrative Company (USAC) and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SID may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SID, the applicant, or the service provider. The SID, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division
Universal Service Administrative Company

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A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

FORM 471 APPLICATION NUMBER: The unique identifier assigned to a Form 471 application by the SLD.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

FUNDING STATUS: Each FRN will have one of the following definitions:

1. An FRN that is "Funded" is approved at the level that the SLD determined is appropriate for this FRN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this funding year was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for internal connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connections requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

CATEGORY OF SERVICE: The type of service ordered from the service provider, as shown on your Form 471.

FORM 470 APPLICATION NUMBER: The Form 470 Application Number associated with this FRN from Block 5, Item 12 of the Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the Universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SERVICE START DATE: The Service Start Date for this FRN from Block 5, Item 19 of your Form 471.

CONTRACT EXPIRATION DATE: The Contract Expiration Date for this FRN from Block 5, Item 20b of your Form 471. This will be present only if a contract expiration date was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" FRNs.

NUMBER OF MONTHS RECURRING SERVICE PROVIDED IN FUNDING YEAR: The number of months of service that has been approved in the funding year. This will be present only for recurring services.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES: Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

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ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES: Annual eligible non-recurring charges approved for the funding year.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 231, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: The discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD pay direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry provides an explanation of the amount in the Funding Commitment Decision.

FCDL DATE: The date of this Funding Commitment Decision Letter (FCDL).

WAVE NUMBER: The wave number assigned to FCDLs issued on this date.

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FUNDING COMMITMENT REPORT
Billed Entity Name: **ATHENS CITY SCHOOL DISTRICT**
SBS: 120254
Funding Year: 2005

Form 471 Application Number: 476573
Funding Request Number: 1318742
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 340780000442450
SBS: 14000000
Service Provider Name: Tele- Sys, Inc. aka Access America
Contract Number: 030
Billing Account Number: 423-745-2063
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Number of Months Remaining Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$29,554.20
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$187.50
Pre-discount Amount: \$29,741.70
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - 470 Not Filled
Funding Commitment Decision Explanation: The FSN references services that require a
posting of a 470 for each funding year.
FCDL Date: 08/30/2006
Wave Number: 055

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
 a Complete items 1 and/or 2 for additional services.
 b Complete items 3, 4a, and 4b.
 c Print your name and address on the reverse of this form so that we can return this form to you.
 d Attach this form to the front of the mailpiece, or on the back if space does not permit.
 e Write "Return Receipt Requested" on the mailpiece before the carrier delivers it.
 f The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
 1. ☐ Addressee's Address
 2. ☒ Registered Delivery
 Consult postmaster for fee.

22

3. Article Addressed to:
 Ms. Smith
 SLD-Form 470
 3833 Greenway Dr.
 Lawrence, KS 66046

4a. Article Number
 7000 1670 0009 5711 0868

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
 X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102505-00-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

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FCC Form

FILE COPYApproval by OMB
3060-0008**470****Schools and Libraries Universal Service
Description of Services Requested
and Certification Form**

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Estimated Average Burden Hours Per Response: 5.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before completing.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications
(School, library, or consortium desiring Universal Service funding.)

Form 470 Application Number: 348780000445460			
Applicant's Form Identifier: phone 63-04			
Application Status: INCOMPLETE			
Posting Date:			
Allowable Contract Date:			
Certification Received Date:			
1. Name of Applicant: ATHENS CITY SCHOOL DISTRICT			
2. Funding Year: 07/01/2003 - 06/30/2004		3. Your Entity Number 128286	
4. Applicant's Street Address, P.O.Box, or Route Number			
a. Street 943 CRESTWAY DR			
City ATHENS	State TN	Zip Code 5Digit 37303	Zip Code 4Digit 4130
b. Telephone number (423) 745- 2863		c. Fax number (423) 745- 9041	
d. E-mail Address			
5. Type Of Applicant (Check only one box)			
<input type="radio"/> Library (including library system, library branch, or library consortium applying as a library)			
<input type="radio"/> Individual School (individual public or non-public school)			
<input checked="" type="radio"/> School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)			
<input type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia)			
6a. Contact Person's Name: Teresa Read			
6b. Street Address, P.O.Box, or Route Number (if different from item 4)			
<input checked="" type="radio"/> 943 Crestway Drive			
City	State	Zip Code 5Digit	Zip Code 4Digit

P9 14

Athens	TN	37303
<input type="radio"/> 6c. Telephone Number (10 digits + ext.)	(423) 745-2863	
<input type="radio"/> 6d. Fax Number (10 digits)	(423) 745-9041	
<input checked="" type="radio"/> 6e. E-mail Address (64 characters max.)	ReadT@k12tn.net	

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

a. ☐ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.

b. ☐ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.

c. ☒ Services for which a new written contract is sought for the funding year in Item 2.

d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a qualified contract for all or part of the funding year in Item 2 do NOT require filing of Form 470. A qualified contract is a signed, written contract executed pursuant to posting a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract.

8 ☒ Telecommunications Services
Do you have a Request for Proposal (RFP) that specifies the services you are seeking?

a. ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at _____ or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b. ☒ NO, I do not have an RFP for these services.
If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantify and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services, and remember that only common carrier telecommunications companies can provide these services under the universal service support mechanism. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
local telephone services	5 schools

9 ☐ Internet Access
Do you have a Request for Proposal (RFP) that specifies the services you are seeking?

a. ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at _____ or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b. ☐ NO, I do not have an RFP for these services.
If you answered NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access Services. Add additional lines if needed.

10 ☐ Internal Connections
Do you have a Request for Proposal (RFP) that specifies the services you are seeking?

a. ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at _____ or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b. ☐ NO, I do not have an RFP for these services.
If you answered NO, you must list below the Internal Connections Services you seek. Specify each

service or function (e.g., local area network) and quantity and/or capacity (e.g., connecting 10 rooms and 300 computers at 56Kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections Services. Add additional lines if needed.

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name: _____ Title: _____

Telephone number (10 digits + ext.)

() - _____

Fax number

() - _____

E-mail Address (50 characters max.)

12. ☐ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or give Web address where they are posted.

13. (Optional) Purchases in future years: If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely time-frames).

Block 3: Technology Assessment

14. ☒ Basic telephone service only: If your application is for basic local and/or long distance telephone service (wireline or wireless) only, check this box and skip to Item 16

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

a. Desktop communications software: Software required ☐ has been purchased; and/or ☐ is being sought.

b. Electrical systems: ☐ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☐ has been purchased; and/or ☐ is being sought.

d. Computer hardware maintenance: adequate arrangements ☐ have been made; and/or ☐ are being sought.

e. Staff development: ☐ all staff have had an appropriate level of training or additional training has already been scheduled; and/or ☐ training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

Block 4: Recipients of Service

16. Eligible Entities That Will Receive Service:

Check the ONE choice that best describes this application and the eligible entities that will receive the services described in this application.

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You must select a state if (b) or (c) is selected:

a. ☐ Individual school or single-site library: Check here, and enter the billed entity in Item 17.

b. ☐ Statewide application (check all that apply):

- ☐ All public schools/districts in the state:
☐ All non-public schools in the state:
☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible entities	6
<i>For these eligible entities, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
423	507, 745, 746
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

17. Billed Entities	
Entity Name	Entity Number
ATHENS CITY SCHOOL DISTRICT	128266

18. Ineligible Entities			
Ineligible Participating Entity	Entity Number	Area Code	Prefix

Block 5: Certification

19. The applicant includes: (Check one or both)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to)

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FCC Form 470

Universal Service Program Description of Services Requested and Certification Form



Entity Number: 128266
Contact Person: Teresa Read

Applicant's Form Identifier: phone 03-04
Phone Number: 423-745-2863

FCC Form

Approval by OMB
3060-0806

470

**Schools and Libraries Universal Service
Program Description of Services Requested
and Certification Form**

Do not write in this area

Form 470 Application Number: 340780000445460

19. The applicant includes: (Check one or both)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☐ Individual technology plans for using the services requested in the application
- b. ☐ higher-level technology plans for using the services requested in the application
- c. ☒ no technology plan needed; application requests basic local and/or long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed status, check both a and b):


- a. ☐ Technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ Technology plan(s) will be approved by a state or other authorized body.
- c. ☒ The application requests basic local and/or long distance telephone service only; no technology plan needed.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software,

maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person		26. Date	12-20-02
27. Printed name of authorized person	Dr. Craig D. Rigell		
28. Title or position of authorized person	Director of Schools		
29. Telephone Number	(423) 745-2883		

Form 470 Application Number:
ATHENS CITY SCHOOL DISTRICT
943 CRESTWAY DR
ATHENS, TN 37303-4130

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at www.sl.universalservice.org/vendormanual/chapter6.doc or call the Client Service Bureau at 1-888-203-8100.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

Please submit this form to:
SLD - Form 470
P.O. Box 7026
Lawrence, KS 66044-7026

1-888-203-8100

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For express delivery services or
U.S. Postal Service, Return Receipt
Requested, mail this form to:

SLD - Form 470
c/o Ms. Smith
3833 Greenway Drive
Lawrence, KS 66046
1-888-203-8100



FCC Form

FILE COPY

Approval by OMB
3060-0806

470

RECEIVED & INSPECTED

MAY 20 2007

FCC - MAILROOM

Schools and Libraries Universal Service Description of Services Requested and Certification Form

pg 13

Estimated Average Burden Hours Per Response: 5.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before completing.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications (School, library, or consortium desiring Universal Service funding.)

Form 470 Application Number: 34878888445460			
Applicant's Form Identifier: phone 83-84			
Application Status: INCOMPLETE			
Posting Date:			
Allowable Contract Date:			
Certification Received Date:			
1. Name of Applicant: ATHENS CITY SCHOOL DISTRICT			
2. Funding Year: 07/01/2003 - 06/30/2004		3. Your Entity Number 128268	
4. Applicant's Street Address, P.O. Box, or Route Number			
a. Street 943 CRESTWAY DR			
City ATHENS	State TN	Zip Code 5Digit 37303	Zip Code 4Digit 4130
b. Telephone Number (423) 745-2883		c. Fax number (423) 745-9041	
d. E-mail Address			
5. Type Of Applicant (Check only one box)			
<input type="radio"/> Library (including library system, library branch, or library consortium applying as a library)			
<input type="radio"/> Individual School (individual public or non-public school)			
<input checked="" type="radio"/> School District (LEA; public or non-public (e.g., diocesan) local district representing multiple schools)			
<input type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia)			
6a. Contact Person's Name: Teresa Reed			
6b. Street Address, P.O. Box, or Route Number (if different from item 4)			
<input checked="" type="radio"/> 943 Crestway Drive			
City	State	Zip Code 5Digit	Zip Code 4Digit

Pg 14

Athena	TN	37303
<input type="radio"/> 6c. Telephone Number (10 digits + ext.) (423) 745-2863		
<input type="radio"/> 6d. Fax Number (10 digits) (423) 745-9041		
<input checked="" type="radio"/> 6e. E-mail Address (24 characters max.) ReadT@k12tn.net		

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

a. ☐ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.

b. ☐ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.

c. ☒ Services for which a new written contract is sought for the funding year in Item 2.

d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

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a. ☐ YES, I have an RFP. Choose one of the following: It is available on the Web at or via ☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

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Service or Function:	Quantity and/or Capacity:
local telephone services	5 schools

9 ☐ Internet Access
Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

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Name:

Title:

Telephone number (10 digits + ext.)

() -

Fax number

() -

E-mail Address (50 characters max.)

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13. (Optional) Purchases in future years: If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely time-frames).

Block 3: Technology Assessment

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b. Electrical systems: ☐ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☐ has been purchased; and/or ☐ is being sought.

d. Computer hardware maintenance: adequate arrangements ☐ have been made; and/or ☐ are being sought.

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f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

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